

**Tennessee Department of Environment and Conservation
Division of Underground Storage Tanks
Office of the Director**

Regulatory Interpretive Memo

DATE: May 9, 2005

TO: All UST Division Staff

FROM: Stanley R. Boyd 

SUBJECT: Oil/ Water Separator Holding Tanks

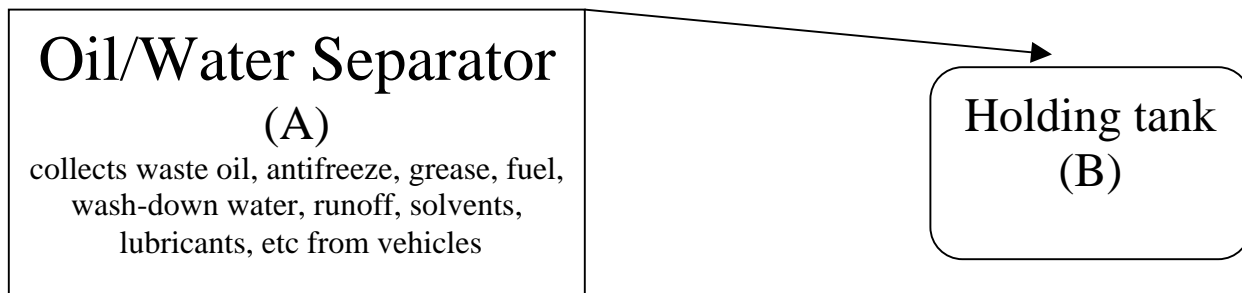
QUESTION: Is a separate holding tank used to collect and store waste oil or petroleum-containing wastes discharged from an oil/ water separator a regulated tank?

SCOPE OF THIS DISCUSSION

Oil/ water separators are deferred from Tennessee UST regulations, except rule 1200-1-15-.06, Release Response and Corrective Action because they are considered wastewater treatment tanks. Rule 1200-1-15-.01(1)(b)1 is consistent with the federal deferral for wastewater treatment tanks in 40 CFR 280.

Some oil/ water separators may use a separate tank to store lighter hydrocarbons which are separated from wastewater as they go through the separation process. Below is an illustration of an oil/ water separator with a separate holding tank.

Petroleum waste products are collected by a belt conveyor or other device, or once a certain liquid level is reached, and are conveyed into a separate holding tank. This material is later removed from the holding tank.



Since the separate holding tank (B) contains a mixture of more than a *de minimis* concentration of petroleum substances and is not involved in oil/ water separation, tank (B) is not deferred under Rule 1200-1-15-.01(1)(b)1. as a wastewater treatment tank. The proper classification for tank (B) in this illustration is waste oil tank. Waste oil tanks are regulated tanks, subject to all regulated tank requirements except spill and overfill prevention according to Rule 1200-1-15-.02(1)(c)2.(ii) as long as tank (B) is 110 gallons or more.

If you have any questions about this, contact Lamar Bradley at 615-532-0952.